

## **REMARKS**

The present Amendment is in response to the Examiner's Office Action mailed March 4, 2004. Claims 1, 12-13, 25, and 41-45 are canceled and claims 2, 9-11, 14, 18, 22-24, 26-27, 29 and 38-40 are amended. Claims 2-11, 14-24 and 26-40 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

### **I. PRIOR ART REJECTIONS**

#### **A. Rejection Under 35 U.S.C. § 103**

The Examiner rejects claims 1-10, 12-23, 25-30, 38-39 and 41-44 under 35 U.S.C. § 103 as being unpatentable over *Bakke* (U.S. Patent No. 5,566,170) in view of *Stone* (U.S. Patent No. 5,598,410) and claims 31-37 further in view of *Hardwick* (U.S. Patent No. 5,550,816).

While Applicants do not agree with the rejection of the claims as stated by the Examiner, each of the rejected claims has been canceled without prejudice, and the rejections are now moot. Applicants reserve the right to pursue the subject matter of the canceled claims in one or more continuation applications.

## **II. Allowed Subject Matter**

The Examiner has indicated that claims 11, 24 and 40 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have rewritten claims 11, 24 and 40 in an independent format so as to include all of the limitations of the base claims. In particular, the scope of claims 11, 24 and 40 have not been narrowed in any way so as to overcome any prior art, but has merely been rewritten in an independent format. As acknowledged by the Examiner, those claims are each patentably distinct from the prior art, and are now in a condition for allowance. Moreover, for at least the same reasons, claims now depending from claims 11, 24 and 40 – namely, claims 2-10, 14-23 and 26-39 – are also in a condition for allowance.

In summary, claims 2-11, 14-24 and 26-40 are now pending in view of the above amendments, and all are patentably distinct from the prior art. Allowance of each of these claims is respectfully requested.

**CONCLUSION**

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 7 day of September, 2004.

Respectfully submitted,



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